IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4949 OF 2005
IN
FIRST APPEAL ST.NO.25923 OF 2005
IN
MOTOR ACCIDENT CLAIM PETITION NO.781 OF 2001

The National Insurance Co.Ltd. ..Applicant

Vs.

Ashwini Bhuvanendra Pai and Anr. ..Respondents

...

Mr.A.M.Vernekar i/b Narichani and Narichania for Applicant
Mr.K.K.Tated for D.R.Mahadik for Respondent Nos.1 and 2

...

CORAM: DR.S.RADHAKRISHNAN AND SMT.V.K.TAHILRAMANI,JJ.
DATE : NOVEMBER 29,2005

P.C.

1. Rule. Rule made returnable forthwith. Heard Heard the learned counsel for the Applicant and learned counsel for the Respondents Nos.1 and 2. For the purpose of disposing the present application, presence of Respondent No.3 is not necessary. By this Civil Application, the Applicant is seeking stay of the Judgment and Award passed by the Chairman of the Motor Accident Claims Tribunal, Thane dated 20.6.2005. For the reasons stated in the Civil Application, this Civil Application is made absolute in terms of prayer clause (a) subject to the condition that the

Appellant shall deposit the entire decretal amount within a period of six weeks from today before the trial Court. The Respondent Nos.1 and 2 are permitted to withdraw 50% of the aforesaid deposited amount without furnishing any security and balance 50% of the aforesaid deposited amount furnishing security to the satisfaction of the trial Court.

2. Civil Application accordingly stands disposed of.

[DR.S.RADHAKRISHNAN, J.]

[SMT.V.K.TAHILRAMANI,J.]